



San Diego County Sheriff's Department

Post Office Box 939062 • San Diego, California 92193-9062



William D. Gore, Sheriff

February 5, 2019

Aaron Swartz Police Surveillance Project
c/o MuckRock News
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VIA E-MAIL ONLY

Dear Project Representative:

The San Diego County Sheriff's Department in receipt of six separate requests from you, all dated January 10, 2019, seeking records pursuant to the California Public Records Act (CPRA).

On January 22, 2019, the Sheriff's Department extended the response date for its responses by 14 days pursuant to Government Code section 6253(c)(1), (2) and (3). The Sheriff's Department now responds as follows. For ease of response, the Sheriff's Department is responding to all six requests in one consolidated response.

"Gunshot Detection Microphones"

The Sheriff's Department has no records responsive to this request.

"ISMI-catcher or cell phone interception devices"

The Sheriff's Department has no records responsive to this request.

"Predictive Algorithmic software packages"

The Sheriff's Department has no software packages that are responsive to this request, nor any proposed policies.

We are in the process of searching for any emails and correspondence "regarding possible or planned acquisition" of such software. We reserve the right to assert any exemption and/claim of privilege over any such materials. We estimate that this process will be completed on or before February 28, 2019.

"License Plate Readers owned by [the San Diego County Sheriff's Department]"

The Sheriff's Department owns 40 License Plate Readers. Usage guidelines for this technology are governed by Sheriff's Department Manual of Policies and Procedures sections 6.130 and 7.13. Our Manual of Policies and Procedures are available online at: <https://www.sdsheiff.net/policies.html>

We are in the process of searching for any emails and correspondence "regarding possible or planned acquisition" of such technology. We reserve the right to assert any exemption and/claim of privilege over any such materials. We estimate that this process will be completed on or before February 28, 2019.

"Social Media Monitoring Software Packages"

The Sheriff's Department does not currently own any Social Media Monitoring Packages.

From 2013 through 2016, the Sheriff's Department utilized the services of Geofeedia, Inc. Attached are contract documents, emails, and notes, including a note from 10/25/16 that reflects the cancelation of the contract .

Usage guidelines for this technology were governed by Sheriff's Department Manual of Policies and Procedures sections 6.130 and 7.13.

"[E]xecuted agreements with.....federal law enforcement agencies"

We are in the process of searching for any executed agreements with the federal law enforcement agencies identified in your request. We reserve the right to assert any exemption and/claim of privilege over any such materials. We estimate that this process will be completed on or before February 28, 2019.

The Sheriff's Department has no policies or training materials responsive to this request.

With respect to "documents or correspondence.....regarding possible or planned agreements" with these agencies, I invite you to contact me so that I may assist in making a "focused and effective request". As presently written, this request would require an email search through over four years' worth of emails to and from the Sheriff's Department, using "keywords" search terms that are so common as to generate significantly more non-responsive emails than responsive emails. Such a request would likely be subject to denial pursuant to Government Code section 6255 as the burdens associated with responding to such a request would significantly outweigh the public interest in such correspondence. Please contact the sender of this email to arrange a date and time when someone in our Legal Affairs Division may speak to a representative of your project about this component of the request.

"Current or Past Litigation"

Finally, with respect to all of the above CPRA requests, to the extent your requests seek copies of court filings generated as a result of any litigation over the above categories, such records, if such records exist, would be with the Office of County Counsel.

Sincerely,

WILLIAM D. GORE, Sheriff

A handwritten signature in blue ink, appearing to read "ST", is written over the typed name of Sanford A. Toyen.

Sanford A. Toyen, Legal Advisor
Office of the Sheriff, Legal Affairs Unit